



Erik M. Bashian, Esq.
T: (516) 279-1554
F: (516) 213-0339
eb@bashpaplaw.com

*Admitted to Practice in New York and New Jersey

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/12/2021

MEMORANDUM ENDORSED
VIA CM/ECF Only

January 12, 2021

U.S. District Judge Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street, Room 2260
New York, New York 10007

Re: Breeze, Jr. v. H&K Hotel Corp., Case No. 1:20-cv-6954-GHW

Dear Judge Woods:

This office represents the Plaintiff Byron Breeze, Jr. ("Plaintiff") in connection with the above-referenced action. As the Court is aware, an Initial Conference ("Conference") is currently scheduled in this matter for January 14, 2021 at 2:00 p.m. We have been in further contact with counsel for an entity who has confirmed that the proper defendant (and owner of the hotel property) is Key Hotels, LLC ("Key"). As a result, earlier today we moved, as of right, to amend the complaint and name Key as a party in this action. In addition, we are currently engaged in fruitful settlement discussions with Key's counsel, which we believe will ultimately render the Conference moot. Accordingly, we are requesting an adjournment of the Conference so that Key may appear in this action and we may discontinue against H&K Hotel Corp., without the need for obtaining a default judgment against it. This is our second request for an adjournment of the conference, and our request will not prejudice any of the parties or affect any other scheduled dates since incoming counsel consents to our request. Based on the foregoing, it is respectfully requested that Your Honor reschedule the conference for 30-days so that Key may appear through counsel and either the joint status letter and proposed CMP may be jointly submitted (if necessary) or so that a stipulation of discontinuance can be entered into by all parties.

We thank this Honorable Court for its time and consideration in this matter.

Respectfully submitted,
BASHIAN & PAPANTONIOU, P.C.

/s/ Erik M. Bashian

Erik M. Bashian, Esq.

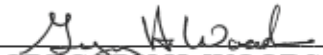
BASHIAN
PAPANTONIOU P.C.

cc: Christopher Hampton, Esq. (*via email only*)

Application granted. The initial pretrial conference scheduled for January 14, 2021 is adjourned to February 19, 2021 at 2:00 p.m. The conference will take place by telephone. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for the dial-in number and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules. The joint status letter and the proposed case management plan referenced in the Court's August 29, 2020 order, Dkt. No. 6, are due by no later than February 12, 2021.

SO ORDERED.

Dated: January 12, 2021



GREGORY H. WOODS
United States District Judge